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OF NEW YORK, INC.

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ELECTRONICALLY FILED

DCC #: _____

DATE FILED: 9/21/2020

September 18, 2020

By ECF and Email

Honorable John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

THE COURT APPROVES THE
PROPOSED SCHEDULE SUBMITTED
BY COUNSEL. SENTENCING IS
SCHEDULED FOR FRIDAY, NOVEMBER 13,
2020, AT 10:00AM.

Re: United States v. Kevin Aller
00 CR 977 (JGK)

SO ORDERED.

9/18/20 JGK 6/1 (elop.)
✓ S.O.J.

Dear Judge Koeltl:

I write to request that the Court set a date for a resentencing hearing at which Mr. Aller and his family may be present. I have spoken to AUSA Andrew Dember, on behalf of the Government, who has advised me that he does not object to this request. As the Court noted, whether Mr. Aller should be afforded a reduction in his sentence "will require careful consideration." See Dkt #166 at 39. Particularly in a case such as this where Your Honor was neither the trial nor sentencing judge, Mr. Aller's presence in Court could be particularly useful to the Court in deciding whether to reduce the sentence in this case.

I have been advised by the Government that it cannot order Mr. Aller's production for court via writ until the Court sets a sentencing date. For this reason, the parties jointly propose the following briefing schedule:

Defense submission due: October 9, 2020
Government submission due: October 30, 2020
Defense reply (if any) due: November 6, 2020

Page 2 of 2

The parties are available for sentencing the week of November 9, 2020. Seven weeks should be sufficient time for the marshals to transport Mr. Aller from USP Lewisburg, where he is currently incarcerated.

Respectfully submitted,

/s/

Jennifer L. Brown
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cc: Andrew S. Dember (by email)
Kevin Aller, Reg. No. 45021-054